

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

VOLCY HARDAWAY,

Petitioner,

v.

UNITED STATES OF AMERICA and  
WARDEN DAVID EBBERT,

Respondents.

CIVIL ACTION NO. 3:12-CV-2168

(JUDGE CAPUTO)

**ORDER**

**NOW** this 4<sup>th</sup> day of February, 2013, after consideration of the Magistrate Judge's Report and Recommendation (Doc. 5), **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 5) is **ADOPTED**.
- (2) The Clerk of Court is directed to **TRANSFER** this action to the United States District Court for the Middle District of Florida for further disposition.
- (3) The Clerk of Court is directed to **CLOSE** the case in this district.

/s/ A. Richard Caputo

A. Richard Caputo  
United States District Judge